

In re Application of:
Buderer et al.
Application No.: Not Yet Assigned
US Submission Date: March 1, 2006
Based on Intl Appl: PCT/CA2004/001659
IA Filing Date: September 21, 2004
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B. In the Claims

Please amend claims 1 to 9 and cancel claims 10 to 17 without prejudice. Please add new claims 18 to 28.

Upon entry of the present amendment, the claims will stand as follows in the present application:

1. (currently amended) A composition of matter consisting of ~~a suitable~~ an adsorbent binding carrier and a polyphenol in an anhydrous mixture, wherein said polyphenol is adsorbed to said binding carrier.

2. (currently amended) The composition according ~~According to claim 1, a composition of matter consisting of additionally comprising~~ an anhydrous topical cream, gel or ointment, ~~a wherein the polyphenol and a suitable~~ adsorbed to said adsorbent binding carrier ~~to which the polyphenol will bind for purposes of even disbursement~~ is evenly disbursed within the cream, gel or ointment, and wherein said polyphenol will be released ~~release~~ on and into the skin when the cream, gel or ointment is applied thereto.

3. (currently amended) The composition according ~~According to claim 2, a composition wherein the polyphenol consists of~~ comprises polyphenols derived from tea (*Camellia sinensis*) ~~and or~~ green tea.

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4. (currently amended) The composition according ~~According~~ to claim 2, a ~~composition~~ wherein the binding carrier is selected from the group consisting ~~consists of, but is not limited to,~~ talcs and clays, alginates, algae, agars, gums, gelatins, celluloses, silica, silica gels, simethicone, salicylates, silicates and silicone resins, tragacanth, calcium carbonates and magnesium ~~or~~ and zinc oxides.

5. (currently amended) The composition according ~~According~~ to claim 4, a ~~composition~~ wherein the binding carrier ~~consists of~~ is silica or a silica gels.

6. (currently amended) The composition according ~~According~~ to claim 4, a ~~composition~~ wherein the binding carrier ~~consists of~~ is a salicylates or a silicates.

7. (currently amended) The composition according ~~According~~ to claim 4, a ~~composition~~ wherein the binding carrier ~~consists of~~ is a magnesium or zinc oxides.

8. (currently amended) The composition according ~~According~~ to claim 2, a ~~composition~~ wherein the anhydrous topical cream, gel or ointment ~~consists of~~ comprises saturated or unsaturated plant oils or waxes.

9. (currently amended) The composition according ~~According~~ to claim 8, a ~~composition where~~ wherein the oils or waxes ~~consist of~~ are natural plant oils ~~and or~~ waxes such as, ~~but are not limited to, shea butter, aloe vera, almond oil, olive oil, avocado oil, coconut oil, jojoba oil and avena sativa oil.~~

Claims 10-17 (canceled).

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18. (new) The composition according to claim 9, wherein said natural plant oils or waxes are shea butter, aloe vera, almond oil, olive oil, avocado oil, coconut oil, jojoba oil or avena sativa oil.

19. (new) A method of formulating a composition according to claim 1 comprising the steps of:

- a. triturating an adsorbent binding carrier with a polyphenol until uniform; and
- b. subsequently adding an anhydrous topical cream, gel or ointment base.

20. (new) A method of formulating a composition according to claim 2 comprising the steps of:

- a. triturating an adsorbent binding carrier with a polyphenol until uniform; and
- b. subsequently adding an anhydrous topical cream, gel or ointment base.

21. (new) A method of formulating a composition according to claim 3 comprising the steps of:

- a. triturating an adsorbent binding carrier with a polyphenol until uniform; and
- b. subsequently adding an anhydrous topical cream, gel or ointment base.

22. (new) A method of formulating a composition according to claim 4 comprising the steps of:

- a. triturating an adsorbent binding carrier with a polyphenol until uniform; and
- b. subsequently adding an anhydrous topical cream, gel or ointment base.

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23. (new) A method of formulating a composition according to claim 5 comprising the steps of:

- a. triturating an adsorbent binding carrier with a polyphenol until uniform; and
- b. subsequently adding an anhydrous topical cream, gel or ointment base.

24. (new) A method of formulating a composition according to claim 6 comprising the steps of:

- a. triturating an adsorbent binding carrier with a polyphenol until uniform; and
- b. subsequently adding an anhydrous topical cream, gel or ointment base.

25. (new) A method of formulating a composition according to claim 7 comprising the steps of:

- a. triturating an adsorbent binding carrier with a polyphenol until uniform; and
- b. subsequently adding an anhydrous topical cream, gel or ointment base.

26. (new) A method of formulating a composition according to claim 8 comprising the steps of:

- a. triturating an adsorbent binding carrier with a polyphenol until uniform; and
- b. subsequently adding an anhydrous topical cream, gel or ointment base.

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27. (new) A method of formulating a composition according to claim 9 comprising the steps of:

- a. triturating an adsorbent binding carrier with a polyphenol until uniform; and
- b. subsequently adding an anhydrous topical cream, gel or ointment base.

28. (new) A method of formulating a composition according to claim 18 comprising the steps of:

- a. triturating an adsorbent binding carrier with a polyphenol until uniform; and
- b. subsequently adding an anhydrous topical cream, gel or ointment base.